

REMARKS

The Examiner's Office Action dated on July 26, 2007 has been received and its contents carefully considered.

In this Amendment, claims 1 and 4 have been amended to overcome the rejection under **35 USC §112, 2nd Paragraph**, by amending claims 1 and 4 to recite that the speaker driving signal is based on the first and second driving signals, and to clarify that it is the second data group that is converted into the second driving signal. The amendments are supported by, for example, page 4, lines 25 *et seq.*, which explain that:

the PWM modulation circuit shown in Fig. 6 modulates P bits data [the claimed "first data group"] into driving signals [the claimed "first driving signal"] represented by pulse width, and DAC convert circuit 20 converts D bits data [the claimed "second data group"] into driving signals [the claimed "second driving signal"] represented by pulse height.

In addition, claim 28 has been amended in view of the amendments to claim 4, and claims 29-30 have been canceled without prejudice or disclaimer.

Finally, claims 31-36 have been added to further protect the subject matter of the invention. Claims 31-36 recite the combination of different waveforms to form the first driving signal and are therefore clearly supported by the specification as filed, including Figs. 4-7 and the detailed description thereof on pages 4-7 of the original specification. Thus, no new matter is added in claims 31-36.

Claims 1-9, 17-21, 22-28, and 31-36 are now pending in this application, wherein claims 1, 4, 17, and 31 are the independent claims.

Applicants acknowledge with appreciation that claims 17-21 are allowable.

The rejection of claims 29 and 30 under **35 U.S.C. §102(b)** as being anticipated by U.S. Patent No. 5,764,173 (Flynn) has been rendered **moot** due to the cancellation of claims 29 and 30 without prejudice or disclaimer, as mentioned above.

In addition, claims 1-9 are believed to be allowable since these claims were rejected solely under 35 USC §112.

Finally, new claims 31-16 are believed to be allowable because the Flynn patent clearly does not disclose or suggest the claimed combination of pulse height and pulse width modulation circuits, the outputs of the respective modulation circuits being combined at a node, and the waveforms of the outputs having different pulse heights or widths, such that the waveform of the first driving signal in discontinuous.

Conclusion

For the foregoing reasons, it is respectfully submitted that this application, as amended, is in condition for allowance. Notice of such allowance and passing of the application to issue, are earnestly requested.

Should the Examiner feel that a conference would be helpful in expediting the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Respectfully submitted,

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